

HOUSE BILL 1040

By Camper

AN ACT to amend Tennessee Code Annotated, Section 2-7-142, relative to the use of certain devices in polling places.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-7-142, is amended by deleting the section in its entirety and substituting instead the following:

(a) Except as otherwise provided in subsection (b), a county election commission shall not prohibit a voter from using a mobile electronic or communication device at a polling place.

(b) A county election commission or its duly appointed election official may prohibit a voter from using a mobile electronic or communication device at a polling place only if the commission or election official determines that the voter is using the device:

(1) To photograph the voter's own ballot or the ballot of another;

(2) To threaten the use of force or violence to visit injury, damage, harm, or loss upon a person to compel or induce the person to vote or refrain from voting for or against a particular person, issue, or question submitted on a ballot for consideration by voters; or

(3) To produce audible sound or visible light or images in a manner that is intended to delay or disrupt other persons from engaging in the voting process.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.